

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV08-3027-SVW	Date	August 8, 2008
Title	In re Daryn Schumacher Alan Schumacher v. David L. Ray		

Present: The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE

Andrea Keifer/Paul M. Cruz

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

N/A

N/A

**Proceedings: IN CHAMBERS ORDER TO SHOW CAUSE RE: BANKRUPTCY APPEAL
(Bankruptcy Court No. LA03-27437-VZ;
Adversary Proceeding No. AD04-02220-VZ)**

Bankruptcy Rule 8002(a) requires that Appellant file notice of the appeal with the Clerk of the Bankruptcy Court within ten (10) days of the date of entry of the Order, Judgment or Decree from which the appeal is taken. Failure to timely file the notice deprives the Court of jurisdiction. In the Matter of Ramsey, 612 F.2d 1220, 1222 (9th Cir. 1980).

Within ten (10) days after filing the notice of appeal, the appellant must file a statement of the issues on appeal and the notice re: ordering of the reporter's transcript or waiver thereof with the Clerk of the District Court. Bankruptcy Rule 8006.

Within thirty (30) days after the filing of the statement, Appellant must file the reporter's transcript, if required, with the Clerk of the District Court. Within fifteen (15) days of the filing of the transcript or the notice that a transcript is not needed, Appellant must file and serve the appeal brief and excerpts of record. Within fifteen (15) days after service of the Appellant's brief, the Appellee must file and serve the appellee brief. Bankruptcy Rule 8009(a)(2).

Within ten (10) days after service of the reply brief, the Appellant must notify the Courtroom Deputy that the record is complete for the purposes of the appeal, so that the appeal may be calendared for oral argument or taken under submission.

It appears from the record in this matter that:

☐ Appellant has failed to timely file the Notice of Appeal.
Accordingly, Appellant is ordered to show cause in writing on or before August 22, 2008, why this appeal should not be dismissed for lack of jurisdiction.

☒ Appellant has failed to timely file:
☐ the statement of issues on appeal.
☒ the notice re reporter's transcript.
☒ the appeal brief.

Accordingly, Appellant is hereby ordered to show cause in writing, on or before August 22, 2008, why this appeal should not be Dismissed for lack of prosecution. If the required action has been taken, no further response to the order to show cause is necessary.

☐ Appellee has failed to timely file the reply brief. Accordingly, Appellee is hereby ordered to show cause

Initials of Preparer

ALK/PMC

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in writing, on or before August 22, 2008, why the Order appealed from should not be reversed for failure to defend the appeal. If the required action has been taken, no further response to this order to show cause is necessary.

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